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**ARMY CORP OF ENGINEERS RESPONSE TO
THE FEMP "WETLANDS DELINEATION
REPORT"**

08/19/93

**ARMY/DOE-FN
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LETTER**



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059
August 19, 1993

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Operations and Readiness Division
Regulatory Branch (North)
ID No. 199300917-gdn

Mr. Raymond J. Hansen
Department of Energy
Fernald Environmental Management Project
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Dear Mr. Hansen:

This is in regard to your letter dated July 22, 1993, which included a wetland delineation report for the U.S. Department of Energy, Fernald Environmental Management Project, in Butler and Hamilton Counties, Ohio. Your letter asked that we review and confirm the extent and location of jurisdictional wetlands at the Fernald site.

The information submitted has been reviewed in accordance with Section 404 of the Clean Water Act (CWA), under which the U.S. Army Corps of Engineers regulates the discharge of dredged and fill material in "waters of the United States," including wetlands. Based on the data submitted, it appears that the site contains 35.9 acres of jurisdictional wetlands and 8.9 acres of streams that are located at or above the headwaters. The "headwaters" is defined as the point on a non-tidal stream above which the average annual flow is less than 5 cubic feet per second.

This office concurs with your wetland delineation report, and the identification of other "waters of the United States" on the project site. If you have any questions, or if we can be of any further assistance concerning this matter, please contact this office at the above address, ATTN: CEORL-OR-FN or call me at (502) 582-5607.

Sincerely,

Gerry Newell

Gerry Newell
Project Manager
Regulatory Branch